

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton
Vice Mayor Nancy Simon
Councilmember Roberto Alonso
Councilmember Mary Collins
Councilmember Robert Meador II
Councilmember Michael Pizzi
Councilmember Richard Pulido

MINUTES
REGULAR COUNCIL MEETING
July 8, 2008
6:30 PM
(Immediately Following the Special Zoning Meeting)
Miami Lakes Community Center West
15151 Montrose Road
Miami Lakes, Florida 33016

SPECIAL PRESENTATION: Mayor Wayne Slaton presented Miami Lakes Publix with a Certificate of Recognition for their green initiatives.

Mr. Kent Robbins presented an award from the Friends of the Redlands to Councilmember Michael Pizzi for his efforts to hold Urban Development Boundary Line.

1. CALL TO ORDER: Mayor Wayne Slaton called the meeting to order at 7:20 p.m

2. ROLL CALL: Town Clerk, Debra Eastman, called the roll with the following Councilmembers present: Roberto Alonso, Mary Collins, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Robert Meador was not present.

3. PUBLIC COMMENTS: Sean Schwinghammer thanked Alex Rey, Town Manager for his service to the Town of Miami Lakes and asked that the Town Council remove the reflective bumps and signs at the traffic calming devices in his neighborhood. Mr. Schwinghammer also urged the Town Council to appeal the recent court decision to uphold the mitigation fee.

Mirtha Mendez spoke in opposition to resurfacing basketball courts that are not owned by the Town of Miami Lakes.

Dorothy Cook spoke in favor of upholding the sign ordinance and reported that campaign signs have been placed on properties prior to the time allowed in the ordinance. Ms. Cook also spoke in favor of the Council holding a workshop to discuss including some of the deed restrictions into the Town Code.

Jeannie White spoke in favor of the Town Council holding a workshop to discuss including some of the deed restrictions into the Town Code and asked that the Town

Council consider an ordinance prior to the Town election.

4. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS): Vice Mayor Nancy Simon requested to pull item 6B. Councilmember Richard Pulido requested to pull item 6C and to be added as a sponsor to item 9B. Town Clerk, Debra Eastman asked to pull item 6A.

Councilmember Mary Collins made a motion to accept the agenda as amended. The motion received a second from Councilmember Michael Pizzi. Mayor Wayne Slaton called for the vote and all were in favor.

5. COMMITTEE REPORTS:

Cultural Affairs Committee Committee Chairman, Felicia Salazar, gave the semi-annual report of the Cultural Affairs Committee and highlighted upcoming events sponsored by the Committee. Councilmembers Mary Collins and Richard Pulido thanked Ms. Salazar for the outstanding work of the Committee.

6. CONSENT AGENDA:

A. Approval of Minutes:

March 11, 2008 Regular Council Meeting

March 18, 2008 Zoning Meeting

May 13, 2008 Regular Council Meeting

Town Clerk, Debra Eastman, requested that a typographical error in the minutes of March 11, 2008 be changed correcting the vote on page 12, item 13B from Mayor Slaton to Councilmember Richard Pulido voting in opposition.

A motion was made by Councilmember Michael Pizzi for approval of the minutes listed in item A. The motion received a second from Councilmember Roberto Alonso. Mayor Wayne Slaton called for the vote and all were in favor.

B. RESOLUTION OF THE TOWN COUNCIL WAIVING THE TOWN'S PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO PURCHASE SUPPLIES, MATERIALS, SERVICES OR EQUIPMENT BETWEEN JULY 9, 2008 AND SEPTEMBER 9, 2008, IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 04-51, THE TOWN'S PURCHASING PROCEDURES ORDINANCE. (Rey)

Vice Mayor Nancy Simon stated her concern about waiving the procurement procedures in light of the Town Manager's impending departure. Town Manager, Alex Rey, indicated that there are no plans for expenditures and that this resolution will cover only unforeseen items. Vice Mayor Nancy Simon made a motion to adopt the resolution. The motion received a second from

Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

C. RESOLUTION OF THE TOWN COUNCIL APPROVING THE PROPOSAL/AGREEMENT FROM ACCURATE TENNIS COURTS, INC. FOR MIAMI LAKES OPTIMIST PARK BASKETBALL COURT RESURFACING PROJECT. (Rey)

Councilmember Richard Pulido asked if there had been any attempt to contact the owner of the property. Town Manager, Alex Rey, reported that the school has no plans to update the basketball courts and pointed out this would enhance the park entrance and would be a safer surface. Councilmember Richard Pulido made a motion to adopt the resolution. The motion received a second from Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

Councilmember Mary Collins made a motion to adopt the balance of the consent agenda. The motion received a second from Vice Mayor Nancy Simon. Mayor Wayne Slaton called for the vote and all were in favor.

D. RESOLUTION OF THE TOWN COUNCIL REVISING SECTION 8CC-10 OF THE TOWN CODE, TITLED "SCHEDULE OF CIVIL PENALTIES," TO MODIFY FINES AND CONSOLIDATE PENALTIES FROM ADOPTED ORDINANCES IN ONE LOCATION; AND TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF CODE SECTIONS NOT SPECIFICALLY LISTED IN THE SCHEDULE OF CIVIL PENALTIES. (Rey) Passed on consent.

E. RESOLUTION OF THE TOWN COUNCIL AUTHORIZING AND DIRECTING THE TOWN MANAGER TO APPLY FOR A GRANT FROM THE HEALTHY AGING REGIONAL COLLABORATIVE HEALTH FOUNDATION OF SOUTH FLORIDA GRANT PROGRAM TO FUND SENIOR PROGRAMS "MATTER OF BALANCE" AND "ENHANCED FITNESS". (Rey) Passed on consent.

7. ORDINANCES – FIRST READING:

8. ORDINANCES – SECOND READING (PUBLIC HEARING):

9. RESOLUTIONS:

A. RESOLUTION OF THE TOWN COUNCIL DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET HEARINGS FOR FISCAL YEAR 2008-09. (Rey)

Town Attorney, Nina Boniske read the title of the resolution. Mirtha Mendez requested that workshops be open for public comment. Town Manager, Alex Rey explained the proposed millage rate and the loss of revenue. Councilmember Mary Collins made a motion to adopt the resolution. The motion received a second from Vice Mayor Nancy Simon.

Vice Mayor Nancy Simon explained the process necessary to adopt a budget and the need for passage of this item at this meeting. Councilman Richard Pulido spoke in opposition to the motion. Councilman Michael Pizzi spoke in opposition to the motion.

Town Clerk, Debra Eastman, called the roll and the motion passed 4-2 with Councilmembers Roberto Alonso, Mary Collins, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmember Michael Pizzi and Richard Pulido voting in opposition.

B. RESOLUTION OF THE TOWN COUNCIL OPPOSING ANY INCREASE IN COUNTY TAXES TO MIAMI LAKES RESIDENTS. (Pizzi, Pulido)

Town Attorney, Nina Boniske read the title of the resolution. Councilmember Michael Pizzi and Town Manager, Alex Rey, explained that there is a possibility of the County reallocating expenses from the unincorporated area budget to the incorporated area budget and this ordinance is in opposition.

Councilmember Roberto Alonso asked Councilmember Michael Pizzi to clarify the intent of the resolution. Councilmember Richard Pulido spoke in favor of the resolution. Councilmember Michael Pizzi made a motion for adoption of the resolution. The motion received a second from Councilmember Richard Pulido. Town Clerk, Debra Eastman, called the roll and all were in favor.

10. NEW BUSINESS:

A. Town Management Transition (Simon)

Vice Mayor Nancy Simon spoke of the resignation of Town Manager, Alex Rey, and the need to appoint an Interim Town Manager. Mayor Wayne Slaton stated that the administration is in a transition period and he was moving forward to seek applications for a Town Manager. Mayor Wayne Slaton suggested that the Town Council appoint Director of Zoning and Code Enforcement, Evelyn Roig, as the Interim Town Manager. Councilmember Michael Pizzi made a motion to appoint Evelyn Roig as Interim Town Manager until a new Town Manager is appointed. The motion received a second from Councilmember Mary Collins. Town Clerk, Debra Eastman called the roll and all were in favor.

Councilmember Michael Pizzi stated he was not pleased with the process that had been used to select an Interim Town Manager. Mayor Wayne Slaton stated he was saddened by the resignation of Town Manager, Alex Rey and Assistant

Town Manager, Mariaelena Salazar. Vice Mayor Nancy Simon stated concern with the two budget hearings scheduled for September and requested that there be a contract to enlist the assistance of departing Town Manager, Alex Rey.

With the assistance of Town Attorney, Nina Boniske, Vice Mayor Nancy Simon made a motion to authorize Mayor Wayne Slaton and legal staff to work out a consulting agreement with Town Manager, Alex Rey, for assistance with the upcoming budget hearings and that the item be included in the agenda for the August Zoning Meeting. The motion received a second from Councilmember Mary Collins.

Councilmember Michael Pizzi stated he was not sure he would agree with having a consulting agreement until it is seen. Mayor Wayne Slaton explained that the agreement will come back to the Town Council for approval. Town Clerk, Debra Eastman called the roll and the motion passed 5-1 with Councilmembers Mary Collins, Richard Pulido, Roberto Alonso, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmember Michael Pizzi voting in opposition.

B. Creation of Climate Change Advisory Task Force (Pulido, Pizzi)

Councilman Richard Pulido made a motion to establish a Climate Change Advisory Task Force for the purpose of providing technical assistance and advice as to mitigation and adaptation measures to respond to global climate change. The motion received a second from Councilmember Mary Collins.

Councilmember Richard Pulido recommended that he serve on the committee, that it be a Committee of five and that he bring back a draft to the September Council meeting. Mayor Wayne Slaton called for the vote and all were in favor.

C. Mitigation Fee (Pizzi)

Councilmember Michael Pizzi made a motion that the Town Council move forward with an appeal regarding previous legal action on mitigation fees and hold the unpaid fees in escrow. The motion received a second from Mayor Wayne Slaton. Councilmember Mary Collins urged the Town Council not to appeal and made a motion to table this item and to have an Executive Session based upon a conversation she has had with County Commissioner Seijas. The motion to table received a second from Councilmember Roberto Alonso.

Town Attorney, Nina Boniske, informed the Town Council that a motion to table is generally not debatable. Councilmember Richard Pulido made a motion to waive the rule of non-debate for discussion. The motion to waive the rule received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and the motion passed 4-2 with Councilmembers Roberto Alonso, Michael Pizzi, Richard Pulido and Mayor Wayne Slaton voting in favor and Councilmember Mary Collins and Vice Mayor Nancy Simon voting in opposition.

Councilmember Mary Collins made a motion to table the item and hold an Executive Session. The motion received a second from Councilmember Roberto Alonso. Town Clerk, Debra Eastman called the roll and the motion passed 4-2 with Councilmembers Mary Collins, Roberto Alonso, Vice Mayor Nancy Simon and Mayor Wayne Slaton voting in favor and Councilmembers Michael Pizzi and Richard Pulido voting in opposition.

Mayor Wayne Slaton called for a recess at 9:20 p.m. The meeting reconvened at 9:35 p.m. Town Clerk, Debra Eastman, called the roll with the following Councilmembers present: Roberto Alonso, Mary Collins, Michael Pizzi, Vice Mayor Nancy Simon and Mayor Wayne Slaton. Councilmember Robert Meador was not present.

D. Mitigation (Slaton) This item discussed under item 10C.

E. Deed Restriction Additions to Zoning Code (Slaton)

Tom McGrath spoke regarding the process of gathering the suggestions for change and addition to the Zoning Code. Councilmember Richard Pulido asked for a moment to introduce Ivonne Borroto, an aide to County Mayor Carlos Alvarez who was in attendance. George Lopez spoke in favor of an appeal to the court's decision on mitigation and in favor of adding the deed restrictions to the Town Zoning Code.

Mayor Wayne Slaton explained that the addition of the suggested changes is on track in accordance with the decision made by the Town Council in February to do this after finishing the re-write. Mayor Wayne Slaton proposed that staff go forward with addressing this on the August zoning agenda. Councilmember Mary Collins made a motion to authorize the Town Attorney to prepare the ordinance for first reading for the August zoning agenda. The motion received a second from Councilmember Roberto Alonso. After a suggestion from Councilmember Richard Pulido, Councilmember Mary Collins amended the motion to include that the Town Council workshop already scheduled for July 10, 2008 begin at 7 p.m. The amendment received a second from Councilmember Richard Pulido. Town Clerk, Debra Eastman, called the roll on the amended motion and all were in favor.

F. Expenditure Control Act (Pizzi)

Councilmember Michael Pizzi presented a chart of travel expenses incurred by the members of the Town Council. Councilmember Michael Pizzi made a motion to set a specific travel policy to include a form to attest to the specific public purpose and limit out of state travel to no more than three times unless there is an urgent need or unless it is approved by the Town Council. The motion received a second from Councilmember Richard Pulido. Councilmember Mary Collins spoke in favor of the benefits of travel for the Town. Councilmember Roberto Alonso stated that the funds expended were part of the budget approved

by the Town Council and suggested that the Town Council could save funds by doing their own lobbying.

Councilmember Robert Meador pointed out an error on the chart and indicated he did not attend the Florida League of Cities event. He did, however, attend a Florida Parks and Recreation meeting in Orlando.

Vice Mayor Nancy Simon spoke in favor of networking and asked that Councilmember Michael Pizzi come back to the Town Council with a more specific plan. Councilmember Michael Pizzi amended the motion to have staff prepare a proposed travel policy to bring back to a future Town Council meeting for consideration. The amended motion received a second from Councilmember Mary Collins. Mayor Wayne Slaton called for the vote and all were in favor.

11. REPORTS:

A. MAYOR AND COUNCILMEMBER REPORTS:

- 1. Appointments (Slaton)** Mayor Wayne Slaton nominated Sydney Dixon and Laura Pedoussaut to serve on the Youth Activities Task Force. A motion to appoint them to the Youth Activities Task Force was made by Vice Mayor Nancy Simon. The motion received a second from Councilmember Roberto Alonso. Mayor Wayne Slaton called for the vote and all were in favor.
- 2. The Trust for Public Land: Beyond Light bulbs & Hybrids – Local Government Solutions to Global Climate Change (Pulido)**
Councilmember Richard Pulido explained he attended this seminar and offered to answer any questions.
- 3. Zoning Board (Pizzi)**
Councilmember Michael Pizzi requested further information on when a workshop will be held to discuss the creation of a Town Zoning Board. Town Manager, Alex Rey indicated that this item will be on the agenda for the September workshop date.
- 4. Code Rewrite Process and Requests for Code Changes (Pizzi)**
Councilmember Michael Pizzi urged that staff go forward to prepare the ordinance for adding the Homeowner Association suggestions to the Town Code.
- 5. Town Youth Assistance Efforts (Pizzi)**
Councilmember Michael Pizzi stated that he will defer this topic to another date.
- 6. Position of Town Manager (Slaton)**
This item discussed with 10A.

B. MANAGER'S REPORT:

- 1. Miami Lakeway South Parking Options (P21)**

Town Manager, Alex Rey suggested either placing pavers at the park for parking or limiting the parking with curbing. He pointed out there is a need for two spaces for police to do traffic control at the site twice a day.

Town Manager, Alex Rey stated his preference is to put in the pavers for parking. Councilmember Richard Pulido made a motion to install the pavers. The motion received a second from Councilmember Michael Pizzi. Mayor Wayne Slaton called for the vote and all were in favor.

2. Florinda Estates Park Grant

Director of Parks and Recreation, Tony Lopez, explained to the Town Council that upon the Council's authorization to apply for a grant for the Florinda Estates Park the Town, has now received over \$67,000. Vice Mayor Nancy Simon suggested that a canopy be installed for shade over the tot lot.

C. ATTORNEY'S REPORTS:

12. FUTURE MEETINGS:

August 19, 2008 Zoning Meeting, 6425 Miami Lakeway N, Miami Lakes 6 PM

September 9, 2008 Regular Meeting, 6425 Miami Lakeway N, Miami Lakes 6:30 PM

13. ADJOURNMENT: There being no further business to come before the meeting, it adjourned at 11 p.m.

Approved this ____ day of _____, 2008.

Wayne Slaton, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk